

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

AUG 10 1981

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... AUG 10 1981 under 44272

The applicant..... BURNS BROS., INC.

621 Southeast Union Avenue

Street and No. or P.O. Box No.

, of Portland

City or Town

Oregon 97214

State and Zip Code No.

hereby make.s application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) An Oregon corporation. Articles of Incorporation filed with Oregon Secretary of State October 18, 1946; said Articles filed with the Nevada Secretary of State on April 1, 1981.

1. The source of the proposed appropriation is underground.
Name of stream, lake or other source.
2. The amount of water applied for is 0.5 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet acre-feet
3. The water to be used for commercial.
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated).....
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 12. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point: within the SE¼NW¼ of Section 33, T.33N., R.35E., M.D.B. & M. or at a point from which the West ¼ corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, Section 33 bears S50°38'W 1,708.0'.
it should be stated.
6. Place of use portions of the NW¼ and W¼SW¼ of Section 33, T.33N., R.35E.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Well, pump, motor, pipelines and distribution system.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works.....\$30,000.00
10. Estimated time required to construct works.....three (3) years
If well completed, describe works.
11. Estimated time required to complete the application to beneficial use.....fifteen (15) years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Use is requested for a restaurant, bar and casino complex. Estimated annual consumptive use is 1,460,000 gallons annually.

ROBERT N. CALDWELL, R.L.S., S.W.R.S., AGENT

By: s/Robert N. Caldwell
146 West Second Street
Winnemucca, Nevada 89445

Compared.....sg/js.....bt/bc

.....APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

.....This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined amount of water granted under this permit and Permit 44273 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 44273, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The total combined duty of water under this permit and Permit 44272 shall not exceed 1.46 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.5.....cubic feet per second, but not to exceed.....1.46 million gallons annually.

Actual construction work shall begin on or before.....N/A.....

Proof of commencement of work shall be filed before.....N/A.....

Work must be prosecuted with reasonable diligence and be completed on or before January 26, 1983.....

Proof of completion of work shall be filed before.....February 26, 1983.....

Application of water to beneficial use shall be made on or before.....January 26, 1985.....

Proof of the application of water to beneficial use shall be filed on or before.....February 26, 1985.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....

Completion of work filed.....MAR 27 1985.....

Proof of beneficial use filed.....MAR 18 1988.....

Cultural map filed.....

Certificate No. 13463 Issued SEP 16 1992

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 26th day of JANUARY,

A.D. 19.82.

Peter G. Morros
State Engineer